

**ROSE TOWNSHIP BOARD OF TRUSTEES
REGULAR MEETING
July 10, 2013**

The following residents and guests signed in as present:

Tom Willwerth	Jan Jensen	William Chase	Matt Weil	Jim Weil
Jim Porter	Darlyne Stanczyk	Tom Wirth	Ken Palka	GE Noble
Dior Rushton	Theresa Lynn	Marilee Carstens		

Other(s) present: Susan Weaver (recording secretary), Ken Palka

Supervisor Gambka called the regular meeting of the Rose Township Board of Trustees to order at 7:30 p.m. at the Rose Township Hall, 9080 Mason Street, Rose Township, Michigan and led in the Pledge of Allegiance.

Board Members Present: Miller, Trevethan, Kemp, Scheib-Snider, Gambka
Board Members Absent: None

APPROVAL OF AGENDA:

A. Approval of Proposed Agenda for July 10, 2013

Moved by Trevethan, seconded by Kemp, motion carried to approve the Agenda as submitted.

Voting Yes: Scheib-Snider, Miller, Trevethan, Kemp, Gambka

Voting No: None

CONSENT AGENDA:

A. Approval of Minutes of June 12, 2013 and Special Meeting of June 26, 2013

B. Receipt of Monthly Reports

- Building Department
- Constable
- NOCFA
- HAYA
- Financial Reports (Revenue and Expense Reports/Balance Sheets by Fund)

C. Payment of Bills

Moved by Trevethan, seconded by Miller, motion carried to approve the Consent Agenda as corrected.

Scheib-Snider, Special Meeting June 26, 2013, as to her remark regarding the public hearing's legality, change "not" to "was".

Voting Yes: Scheib-Snider, Miller, Trevethan, Kemp, Gambka

Voting No: None

PRESENTATIONS:

A. Jim Porter – Salary Survey Presentation (moved to the August, 2013 meeting)

BRIEF PUBLIC COMMENTS - AGENDA ITEMS ONLY (limit comments to 3 minutes each item):

Ken Palka – Pieffer, Haniford & Palka, CPA – Rose Township auditors. His company has a three (3) year contract with the Township. Mr. Palka states he is available for any questions from the Board and has never received any calls expressing concern(s). Mr. Palka states he was unaware new bids were being accepted and asks the Board what his company did wrong.

Chester Koop, Resident speaks as to line item 6(c) and is confused as to why the Board is bidding for new auditors. Resident does not feel it appropriate to seek new bids and terminate during the current contract. Encourages the Board to engage in a more open process when soliciting bids and to follow policy. Resident asks for explanation as to the most recent audit and the allegation of document removal.

Tom Willwerth, Resident states the last regime is not gone and it is time residents come to the office and witness day to day business. Board members criticize Clerk Miller, when they should comply with the MTA and consult legal counsel.

UNFINISHED BUSINESS:

A. Section 3 of the Policies & Procedures Manual

Trevethan, p. 22, 3.1, line 6, should read hourly or salary. Supervisor Gambka suggests it states it reads “all”, this is sufficient.

Trevethan states, Section 3.2(a), appointment of deputies by the Board? Miller states the Board does not appoint deputies. Trevethan states it reads personnel matters are decided by the Board. Supervisor Gambka states this is confusing and should be clarified to avoid confusion, “with the exception of deputies”. Agreed: “Personnel matters will be decided by the Board, with the exception of the deputies”.

Trevethan, Section 3.5(a), vacancy notice postings in the Township Hall should read “Township Office”

P. 31, Section 3.9(1) (b), “Hall”.

P. 30, Section 3.9, deputies, should read Township Board will decide positions with exception of the deputy clerk and deputy treasurer.

Section 3.10 change hours 8:30 a.m. – 4:30 p.m.

Section 3.10(d) should read thirty (30) hours.

Section 3.5(e), background checks, if we return to performing background checks, make sure it happens consistently. Supervisor Gambka asks if procedure it is not followed, why in manual, should include the present Board/employees.

Section 3.7(b), p. 28, nothing stating when eligibility of benefits occurs, clarify after ninety (90) days.

Moved by Trevethan, seconded by Scheib-Snyder, motion carried to make deputies eligible for

benefits after ninety (90) days.

Trevethan, Section 3.10(a) resolution for Township hours? Annual?

Scheib-Snider it reads full-time positions are provided with benefits, decided 20% contribution, should read 20% contribution somewhere.

Supervisor Gambka, Section 3.5(c), employee interviews, policy should state the Board has to approve/interview all prospective employees with the exception of deputy clerk and deputy treasurer. This is hidden. Create a Section 3.5(c) (1) stating this fact.

Voting Yes: Trevethan, Kemp, Scheib-Snider, Miller, Gambka

Voting No: None

Trevethan, Section 3.15(a), states personal sick time is not carried over, should be in Section 3.15. Asks if bereavement time is immediate or should be kept at ninety (90) days. Scheib-Snider and Gambka concur with ninety (90) days before bereavement time is paid.

Moved by Trevethan, seconded by Gambka, motion carried to revise (Section 3.16(c) to read after ninety (90) days of employment, employees are eligible to receive five (5) days paid bereavement (immediate family) time, with documentation; one (1) day paid bereavement time (non-immediate family), with documentation; and any time take off for bereavement before ninety (90) days of employment will be taken un-paid.

Voting Yes: Miller, Trevethan, Kemp, Scheib-Snider, Gambka

Voting No: None

Section 3.17(b), p. 43, insurance program coordinator is determined by Treasurer, should it read "Board". Is a resolution necessary to approve insurance coordinator? Supervisor Gambka states the Treasurer typically appoints the insurance coordinator and Scheib-Snider suggests drafting a resolution by the next meeting appointing the Treasurer as insurance coordinator.

Trevethan asks if we should we clarify deputies are classified as employees. Supervisor Gambka states there is language and falls under state law.

Miller, Section 3.21(d), p. 51, disposition should read "department head or supervisor".

Miller, Section 3.24, add Board member cell phones and electronic devices must be turned off at Board meetings. Scheib-Snider states she needs hers for calendar purposes, timer, etc.

Moved by Miller, seconded by Gambka, motion fails to add turning off cell phones and electronic devices during Board meetings.

Voting Yes: Miller

Voting No: Trevethan, Kemp, Scheib-Snider, Gambka

Scheib-Snider suggests all employees sign an acknowledgment that they have read with manual. Miller states she has a letter drafted and each employee will sign the letter acknowledging receipt of the manual. Trevethan states we should have a policy in first section stating that all employees should have a copy of the manual and sign it, front page. Scheib-Snider states the Township Attorney can draft language. Miller states a letter has already been drafted and will be distributed once the final copy of the manual is complete.

Trevethan, Section 4, financial administration, investment policy should be separate from manual.

NEW BUSINESS:

- A. **Resolution – approve 20% payment, employee contribution for health care, dental and optical insurance**

**ROSE TOWNSHIP RESOLUTION #2013-29
PUBLICLY FUNDED HEALTH INSURANCE CONTRIBUTION**

WHEREAS, The Michigan Legislature passed PA 152 of 2011 named “**PUBLICLY FUNDED HEALTH INSURANCE CONTRIBUTION ACT**” ;

WHEREAS, the act [PA152 of 2011] provides three options for ‘public employers’ to initiate;

15.563 Public employer contribution to medical benefit plan; **limitation on amount;**

15.564 Public employer contribution to medical benefit plan; **limitation on percentage of annual costs.**

15.568 **Exemption.**

WHEREAS, limitation on amount; sets forth; Sec. 3.

Except as otherwise provided in this act, a public employer that offers or contributes to a medical benefit plan for its employees or elected public officials **shall pay no more** of the annual costs or illustrative rate and any payments for reimbursement of co-pays, deductibles, or payments into health savings accounts, flexible spending accounts, or similar accounts used for health care costs, than a total amount equal to \$5,500.00 times the number of employees with single person coverage, \$11,000.00 times the number of employees with individual and spouse coverage, plus \$15,000.00 times the number of employees with family coverage, for a medical benefit plan coverage year beginning on or after January 1, 2012. A public employer may allocate its payments for medical benefit plan costs among its employees and elected public officials as it sees fit. By October 1 of each year after 2011, the state treasurer shall adjust the maximum payment permitted under this section for each coverage category for medical benefit plan coverage years beginning the succeeding calendar year, based on the change in the medical care component of the United States consumer price index for the most recent 12-month period for which data are available from the United States department of labor, bureau of labor statistics.

WHEREAS, limitation on percentage of annual costs; sets forth; Sec. 4.

(1) By a majority vote of its governing body, a public employer, excluding this state, may elect to comply with this section for a medical benefit plan coverage year instead of the requirements in section 3. The designated state official may elect to comply with this section instead of section 3 as to medical benefit plans for state employees and state officers.

(2) For medical benefit plan coverage years beginning on or after January 1, 2012, **a public employer shall pay not more than 80% of the total annual costs** of all of the medical benefit plans it offers or contributes to for its employees and elected public officials. For purposes of this subsection, total annual costs includes the premium or illustrative rate of the medical benefit plan and all employer payments for reimbursement of co-pays, deductibles, and payments into health savings accounts, flexible spending accounts, or similar accounts used for health care but does not include beneficiary-paid copayments, coinsurance, deductibles, other out-of-pocket expenses, other service-related fees that are assessed to the coverage beneficiary, or beneficiary payments into health savings accounts, flexible spending accounts, or similar accounts used for health care. **Each elected public official who participates in a medical benefit plan** offered by a public **employer shall be required to pay 20% or more of the total annual costs of**

that plan. The public employer may allocate the employees' share of total annual costs of the medical benefit plans among the employees of the public employer as it sees fit.

ROSE TOWNSHIP RESOLUTION #2013-29 cont'd

WHEREAS, Exemption. Sets forth Sec. 8.

(1) By a 2/3 vote of its governing body each year, a local unit of government may exempt itself from the requirements of this act for the next succeeding year.

(2) A 2/3 vote of the governing body of the local unit of government is required to extend an exemption under this section to a new year.

(3) An exemption under this section is not effective for a city with a mayor who is both the chief executive and chief administrator, unless the mayor also approves the exemption.

(4) An exemption under this section is not effective for a county with a county executive who is both the chief executive and chief administrator, unless the county executive also approves the exemption.

NOW THEREFORE BE IT RESOLVED, that the Rose Township Board of Trustees selects

Section 4. Limitation on percentage of annual costs

As set forth in PA 152 of 2011;

BE IT FURTHER RESOLVED, that the requirements in Section 4, PA 152 of 2011 be applied to Township employees and Elected officials in the future Township Fiscal years.

Moved by Scheib-Snider, seconded by Gambka, motion carried to approve Rose Township Resolution for publicly funded health insurance contribution (20%).

Voting Yes: Kemp, Scheib-Snider, Miller, Trevethan, Gambka

Voting No: None.

Moved by Scheib-Snider, seconded by Trevethan, motion carried to add the above resolution to the Policy and Procedures manual.

Voting Yes: Trevethan, Kemp, Scheib-Snider, Miller, Gambka

Voting No: None

B. Resolution – approve agreement for E-Commerce Services between Rose Township and Oakland County

ROSE TOWNSHIP RESOLUTION #2013-30 E-COMMERCE SERVICES AGREEMENT

WHEREAS the Rose Township pursuant to the General Property Tax Act (MCL 211.1, et seq.) is required to collect and receive all current property taxes payments due on taxable property located within its geographic boundaries, and

WHEREAS the County of Oakland (“County”) has developed an internet-based payment procedure that allows County taxpayers the convenience of using credit cards or electronic checks for the payment of delinquent property taxes to the County Treasurer, and

WHEREAS by utilizing essentially this same system and technology, the County has developed a similar model program called “Pay Local Taxes.com” which the County is making available to municipalities in Oakland County, and

WHEREAS participating in the County’s “Pay Local Taxes.com” program would allow Rose Township taxpayers to utilize a similar internet based credit card payment or electronic check option for current property tax payments owed to the Rose Township, and

WHEREAS participation in the “Pay Local Taxes.com” program with the County and possibly other municipalities and the resulting “economies of scale” requires only minimal and/or incremental costs and efforts by the Rose Township, in order to provide a credit card and electronic check payment options to Rose Township taxpayers;

NOW THEREFORE BE IT RESOLVED that in accordance with Public Act 280 of 1995, the Rose Township Treasurer is hereby authorized to receive payments for property taxes owed to the Rose Township by “financial transaction device” (including credit cards) as defined in the Act, and that the Treasurer, as provided in the Act, shall decide which such financial transaction devices shall be acceptable for payments to the Rose Township

BE IT FURTHER RESOLVED that the Rose Township approves and authorizes its Treasurer to execute on behalf of the Rose Township, such agreements as may be necessary with payment processing services acceptable to the County, for the purposes of allowing them to receive, process, deposit and maintain security for all credit card or electronic check payments and deposits for the Rose Township.

BE IT FURTHER RESOLVED that the Rose Township Treasurer is also authorized to execute such agreements as may be necessary, to open and maintain an account with a depository financial institution acceptable to the County for the purposes of the receipt and deposit of all such “financial transactional device” payments in accordance with the law.

BE IT FINALLY RESOLVED that the Rose Township approves entering into the attached E-COMMERCE SERVICES AGREEMENT with the County of Oakland and hereby authorizes its Treasurer Trish Trevethan to execute this Agreement on behalf of the Rose Township.

Moved by Gambka, seconded by Trevethan, motion carried to approve the Rose Township Resolution – E-Commerce Services Agreement.

Trevethan explains that residents can pay their taxes by credit card, no cost to the Township. Residents can use credit card terminal in the office or they can use on-line services at home for nominal fee.

Voting Yes: Scheib-Snider, Trevethan, Miller, Kemp, Gambka
Voting No: None

C. Discussion/Decisions on UHY, LLP Audit Services Proposal

Moved by Gambka, seconded by NONE, motion fails to appoint UHY, LLP as Rose Township auditors with a three (3) year contract.

Supervisor Gambka states he has vast experience and insight in this area. Keeping same auditors for many years is not a good idea, no fresh ideas. Important part of audit is audit management letter wherein auditor suggests improvements/ideas. UHY is a national firm and they can give us new insight. Present accounting firm packed up original documents and removed same from offices. Audits are typically handled in the office, documents never removed. Believes Township can do better.

Trevethan is not comfortable changing auditors at this point.

Scheib-Snider is happy with the current auditing company and is only now hearing complaints.

Kemp states the Board is new, does not agree with changing auditors at this point.

Miller states there is a problem with Mr. Palka's firm, hostile letter received from them and blames the Clerk for everything, unethical. Miller also has a problem with Chester Koop (resident) coming into the office and having discussions with Mr. Palka's firm.

ANNOUNCEMENTS:

- A. Next Regular Planning Commission Meeting – June 11, 2013 – 7:30 p.m. (Cancelled)**
- B. Zoning board of Appeals Meeting – July 24, 2013 – 7:30 p.m. (Cancelled)**
- C. NOCFA Meeting – July 14, 2013 – 7:00 p.m. – Station 1**
- D. Assessing Office – 2nd Tuesday of every month – 9:00 a.m. – 4:00 p.m.**
- E. Next Township Board Meeting – August 14, 2013 – 7:30 p.m.**
- F. Cemetery Committee Meeting – TBD (August) – Rose Township Offices**
- G. 24/7 Rose Township Recycling/Rose Township Offices, 9080 Mason Street**

MISCELLANEOUS REPORTS:

- A. NOCFA – gifted a home for training.**
- B. Planning Commission –. None.**
- C. Holly Area Youth Assistance (HAYA) – Scheib-Snider *inaudible for record.***
- D. Cemetery Committee – Mr. Willwerth states many donations were received this month.**
- E. Parks and Recreation – Scheib-Snider states a clean-up held and barbed wire fencing removed.**
- F. Supervisor's Report – Supervisor Gambka states he spoke with the Oakland County Road Commission and has been informed they have secured \$800,000.00 from Enbridge to use for gravelling roads in Springfield and Rose Township. Planning on Rattalee Lake Rd, Taylor Lake Rd., Hensel Rd., Terrace Rd., Eagle Rd., Tipsico Lake. Current budget money (\$140,000.00) can do Eagle Rd. (where Enbridge ends), Fish Lake Rd. (north), Demode Rd., Sackner, Bone Rd. If money left will do Baker Rd.**

PUBLIC COMMENT (limit comments to 3 minutes each item):

Tom Wirth, Resident states the Tri-County Times reported a death in Rose Township where emergency response time a concern. Michigan State Police was the last to show to the scene, Rose

Township fire department was first responder. Enbridge should not take priority and block traffic, etc.

G.E. Noble, Resident speaks as to his professional, background construction/engineering, multiple units of government failing. Supervisor Gambka is correct to look for change and made a correct motion. Resident suggests Supervisor Gambka bring the motion back.

Tom Willwerth, Resident, cemetery, discussed with Trevethan and Miller, there are many insect ridden trees within cemetery, should be removed.

Ken Palka, Resident states he is uncomfortable conducting the Township's audit without the full support of the Board, to that end he submits his resignation. His official letter of resignation to follow.

Scheib-Snider Resident states accountants will need to be interviewed.

ADJOURNMENT:

Moved by Gambka, seconded by Miller, motion carried to adjourn the meeting at 9:13 p.m.

No vote.

Approved/Corrected—

A handwritten signature in black ink, appearing to read "Debbie Miller", written in a cursive style. The signature is positioned above a horizontal line.

Debbie Miller, CMC
Rose Township Clerk